

2008 OCT 30 PM 4: 10

PATENT  
5681-68600/P9711

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/726,447	§	Examiner: Kiss, Eric B.
Filed: December 3, 2003	§	Group/Art Unit: 2192
Inventors:	§	Atty. Dkt. No.: 5681-68600
Akm N. Islam	§	
Michael C. Hulton	§	
W. Byron Nevins Jr.,	§	
Kenneth Ebbs	§	
Sridatta Viswanath	§	
Abhijit Kumar	§	
Title: System and Method for	§	
Application Deployment in	§	
a Domain for a Cluster	§	

**REQUEST FOR REFUND OF EXTENSION OF TIME FEE**

Commissioner for Patents  
Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

Please let this serve as a formal request for a refund of the extension of time fees in the amount of \$460.00, associated with the Notice of Appeal filed July 31, 2008. Applicants filed a Response to Final Office Action on May 26, 2008, by the two-month due date, which extended the time for response to the mailing date of an Advisory Action. The Notice of appeal was filed on July 31, 2008, before the mailing date of the Advisory Action on August 1, 2008. Therefore no extension of time was required.

Applicant respectfully requests a refund in the amount of \$460.00 to deposit account no. 501505/5681-68600/RCK. If you have any questions or comments, please do not hesitate to contact the undersigned agent.

Respectfully submitted,

/Robert C. Kowert/  
Robert C. Kowert, Reg. # 39,255  
Attorney for Applicant(s)

Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
(512) 853-8850  
Date: October 29, 2008

# Clark & Elbing LLP

101 Federal Street  
Boston, MA 02110-2214

Telephone 617-428-0200  
Facsimile 617-428-7045

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## Clark & Elbing LLP

101 Federal Street  
Roxton, MA 02110

Telephone 617-428-0200  
Facsimile 617-428-7045  
617-428-7046

October 27, 2008

RE: Account # 032095  
Application # 12/002,222

To Whom It May Concern:

I am writing to request a refund for a charge that was posted in error to our account. On 10/17/08 our account #032095 was charged \$43,680 for 168 pages at \$260 per page. The charge should not be \$260 per page, but \$260 for each 50 pages, or \$780, which we paid on 9/19/08. I have attached backup on the \$43,680 charge as well as the \$780 charge. Let me know if you have any questions or need more information. Thanks in advance for your attention to this matter.

Sincerely,



John Persechini  
Accounting Manager  
Clark & Elbing LLP  
617-897-2053 Phone  
617-428-7045 Fax



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APPLICATION NUMBER	FILING OR 37(c) DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO./TITLE
12002,222	12/14/2007	Gerard Drewes	50125/103003

 21559  
 CLARK & ELBING LLP  
 101 FEDERAL STREET  
 BOSTON, MA 02110

CONFIRMATION NO. 5914

FORMALITIES LETTER



Date Mailed: 03/13/2008

ACTION DUE reply to NTFMPDUE DATE 05/13/08ESP 19/13/08INITIALS md
**KBB Docket**  
 3114/08

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a).

- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.  
Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

The application is Informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
  - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 7, 8b, 8c, 9a, 9b, 11, 13A-C, 15A-B, 17-23.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

The applicant needs to satisfy supplemental fees problems indicated below

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this notice.

09/19/2008 CCMRU1 00000014 12002222

 02 FC:1081  
 03 FC:1051

 780.00 DP  
 130.00 DP

page 1 of 2

10/16 4150	11298560	50304/110001	1808	\$180.00	\$26,129.50
10/16 4148	11298560	50304/110001	2252	\$245.00	\$25,884.50
10/16 4408	61105654	50546/010001	2005	\$110.00	\$25,774.50
10/16 8	81089830	50050/009001	2085	-\$130.00	\$25,904.50
10/16 35	12226300	00788/490002	2615	\$23.00	\$25,881.50
10/16 10725	60743304	04843/150W02	8021	\$80.00	\$25,801.50
10/16 10918	12223198	50365/005001	8021	\$40.00	\$25,761.50
10/16 11251	12047963	50361/004003	8021	\$40.00	\$25,721.50
10/16 11737	11598011	00788/548004	8021	\$40.00	\$25,681.50
10/16 11858	12246805	50244/012002/0013	8021	\$80.00	\$25,601.50
10/16 12212	10376369	50294/003001	1261	\$130.00	\$25,471.50
10/16 38	PAYMENT		0203	-\$40,000.00	\$85,471.50
10/17 48	12002222	50125/103003	1081	\$43,680.00	\$21,791.50
10/17 9518	80997929	50373/014W02	8007	\$20.00	\$21,771.50
10/17 9550	60997136	50037/007W04	8007	\$20.00	\$21,751.50
10/17 8551	61127404	50037/007W04	8007	\$20.00	\$21,731.50
10/17 9552	81078119	50037/007W04	8007	\$20.00	\$21,711.50
10/20 697	11629111	04843/177002	8021	\$80.00	\$21,631.50
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10/20 744	12164827	50595/004001	8021	\$40.00	\$21,551.50
10/20 966	11629110	04843/177002	8021	\$80.00	\$21,471.50
10/20 7169	61106536	50304/196001	2006	\$110.00	\$21,361.50
10/20 17	11919941		9204	-\$175.00	\$21,536.50
10/20 18	11818841	50429/007001	2617	\$85.00	\$21,471.50

START  
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**SUM OF  
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